



OLC 76-2086/a

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8 AUG 1976

Honorable Bella S. Abzug, Chairwoman  
Subcommittee on Government Information  
and Individual Rights  
Committee on Government Operations  
House of Representatives  
Washington, D. C. 20515

Dear Madam Chairwoman:

This is in response to your letter of July 23, 1976 requesting certain material for the record requested during the testimony of Mr. Colby on 5 March 1975.

The package of European laws which was requested by Representative Brown was provided to him shortly after the hearing. The proposed Agency amendment to the Privacy Act was furnished to the Subcommittee staff at the conclusion of the hearing. I am, however, enclosing copies of this material as you requested.

Sincerely,

*/s/ George Bush*

George Bush  
Director

Enclosures

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OLC/PLC:dla (typed 2 Aug 1976)

Retyped: OLC/GLC:baa (4 Aug 76)

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LAWS OF EUROPEAN COUNTRIES  
PERTAINING TO TREASON AND ESPIONAGE  
AND CERTAIN RELATED QUESTIONS

TAB A - French Law

TAB B - Great Britain Law

TAB C - Greek Law

TAB D - West German Law

TAB E - Norwegian Law

The laws provided by OGC.

Exemption for Intelligence Sources and Methods

As a Substitute for Present CIA Exemption

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In Privacy Act of 1974

1. Add a new subsection (8) in section (a) "DEFINITIONS" the following:

"(8) The term 'foreign intelligence information or personal information relating to intelligence sources and methods' means sensitive information concerning--

- (A) methods of collecting foreign intelligence;
- (B) sources of foreign intelligence, whether human, technical, or other; or
- (C) methods and techniques of analysis and evaluation of foreign intelligence which, in the interests of the security of the foreign intelligence activities of the United States, has been specifically designated for limited or restricted dissemination or distribution, pursuant to authority granted by law or Directive of the National Security Council, by a department or agency of the United States Government which is expressly authorized by law or by the President to engage in intelligence activities for the United States."

2. Add as a new subsection (6) in section (g) "CIVIL REMEDIES" following:

"(6) A civil suit involving intelligence sources and methods exempt under subsection (j)(1) of this section may be brought to determine if the designation was in accordance with the definition prescribed in subsection (a)(8), provided; however, that the court shall not consider the case de novo but may conduct such in camera inspection of the requested records, or any part thereof, if it is unable to resolve the matter on the basis of an affidavit and other information submitted by the parties. In conjunction with its in camera examination, the court may consider further argument, or an ex parte showing by the Government, in explanation of the withholding. If there has been filed in the

record an affidavit by the head of the agency certifying that he has personally examined the documents withheld and has determined after such examination that they should be withheld under the definition prescribed in subsection (a)(8), the court shall sustain such withholding unless, following its in camera examination, it finds the withholding is without a reasonable basis under such criteria."

3. Strike existing (j)(1) and substitute the following:

"(1) foreign intelligence information or personal information relating to intelligence sources and methods designated for protection from unauthorized disclosure pursuant to 50 U.S.C.A. 403."

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<b>EXECUTIVE SECRETARIAT</b>		
Routing Slip		
TO:	ACTION	INFO
1 DCI		X
2 DDCI		X
3 D/DCI/IC		
4 S/MC		
5 DDS&T		
6 DDI		
7 DDA		
8 DDO		
9 D/DCI/NIO		
10 GC		X
11 LC	X	
12 IG		
13 Compt		
14 D/Pers		
15 D/S		
16 DTR		
17 Asst/DCI		
18 AO/DCI		
19 C/IPS		
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22		
SUSPENSE		
Date		
Remarks:		
For preparation of DCI response.		
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ary		
21 July 1976		
Date		

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STAT

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NINETY-FOURTH CONGRESS

# Congress of the United States

## House of Representatives

### GOVERNMENT INFORMATION AND INDIVIDUAL RIGHTS

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WASHINGTON, D.C. 20515

Executive Registry  
76-3031

OLC 76-2086

July 23, 1976

Honorable George Bush  
Director  
Central Intelligence Agency  
Washington, D.C. 20505

Dear Mr. Bush:

In reviewing former Director Colby's testimony before this subcommittee on March 5, 1975, I note that the following items which Mr. Colby indicated would be supplied, have not been received:

- (1) A digest of laws applicable to the foreign intelligence sources of other nations, per hearing transcript page 117; and
- (2) CIA's suggested change in the present Privacy Act exemption for the Agency, per hearing transcript page 143.

For your convenience, copies of these pages are herewith enclosed. I would appreciate your early reply.

With best wishes,

Sincerely,

  
BELLA S. ABZUG  
Chairwoman

Enclosure

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